

REMARKS

This amendment responds to the office action mailed February 1, 2002. In the office action the Examiner:

- objected to claim 11 due to an informality;
- rejected claims 1-4, 6-9, 12, and 22 under 35 U.S.C. 102(e) as anticipated by Yamada et al. (US Patent Number 5,959,760); and
- rejected claims 5, 10, 11, 21, and 23 under 35 U.S.C. 103(a) as being unpatentable over the teachings of Yamada et al.

After entry of this amendment, the pending claims are: claims 31-49.

All of the rejected claims have been canceled. The applicants hereby reserve the right to reinstate the canceled claims by subsequent amendment in accordance with 37 CFR § 1.121(c)(2).

New Claims 31-49

Independent claim 31 is supported by at least the specification at page 4, line 27 through page 5, line 31 and by Figure 3. Claims 32-46, which depend from claim 31 are supported by at least the canceled claims 1-12 and 21-23. Claims 47-49 are at least supported by Figure 3. No new matter has been added.

Independent claim 31 includes the limitations of “a moving combteeth assembly, including a mirror and a plurality of combteeth spines coupled to sides of the mirror, the combteeth spines each having second combteeth extending therefrom.”

These claim limitations are not taught by Yamada, which does not teach a combteeth spine that extends from the mirror. The electrode of Yamada do not extend from a combteeth spine. Rather, the electrodes extend from the mirror structure itself.

Accordingly, the applicants respectfully submit that Yamada does not teach the invention to which independent claim 31 is directed, nor claims 32-49, which depend from claim 31.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150 (order no.9840-0055-999). A copy of this sheet is enclosed for such purposes.

Respectfully submitted,

Date May 31, 2002


Wilfred H. Lam 41,923
(Reg. No.)

For: Gary S. Williams 31,066
PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, CA 94304
Telephone: (650) 493-4935